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RUEHNO/USMISSION USNATO IMMEDIATE 0125  
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NSC FOR LOOK  
DIA FOR LEA

E.O. 12958: DECL: 2020/02/23  
TAGS: [PARM](#) [KACT](#) [MARR](#) [PREL](#) [RS](#) [US](#)  
SUBJECT: SFO-GVA VIII: (U) NOTIFICATIONS WORKING GROUP MEETING,  
FEBRUARY 10, 2010

REF: 10 GENEVA 49 (SFO-GVA-VIII-022)

CLASSIFIED BY: Rose E. Gottemoeller, Assistant Secretary, Department  
of State, VCI; REASON: 1.4(B), (D)

[1](#)1. (U) This is SFO-GVA-VIII-033.

[1](#)2. (U) Meeting Date: February 10, 2010

Time: 10:00 A.M. to 12:00 P.M.

Place: U.S. Mission, Geneva

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SUMMARY  
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[1](#)3. (S) During a meeting of the Notifications Working Group held at the U.S. Mission on February 10, the Russian Federation (RF) provided its comments to Sections I-VI of the U.S.-proposed Joint Draft Text (JDT) of Part Four of the Protocol to the treaty that was provided to the Russian side on February 5 (Reftel). Russia agreed to use the U.S. text as the baseline JDT for all future discussions, and as such, the document would be recognized as a true "U.S.--RF" JDT. The Russian side requested clarification of some U.S.-proposed changes and provided counter proposals for some text. Mr. Smirnov raised a concern about U.S.-proposed text in item (c) of U.S. treaty Article XIV and paragraph 3 in Article V. (Begin comment: Both reference new types/new kinds of strategic

offensive arms (SOA) and how such items would be handled within the Bilateral Consultative Commission (BCC). End comment.) End summary.

14. (S) SUBJECT SUMMARY: Treaty Article XIV; and Section-by-Section.

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TREATY ARTICLE XIV  
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15. (S) Smirnov noted the U.S. had added new text to treaty Article XIV (Begin comment: Treaty Article XIV requires a notification be sent by the developing Party of a new kind or new type of SOA prior to the other Party requesting a discussion in the BCC about applicable provisions for that new SOA. End comment). He opined the text was not appropriate at the treaty level and should be deleted or moved to the Protocol level. Smirnov further asserted this language was contrary to Article V which stated either Party had the right, within the BCC, to raise the question concerning the emergence of a new kind of SOA by either side.

16. (S) Mr. Siemon explained the language in Article XIV was needed to ensure that one Party did not attempt to apply treaty provisions to an item of the other Party prior to that Party sending notification of a new item. He also noted the two instances raised by Smirnov were different; the first was a statement that treaty provisions would not be applied to a new SOA prior to notification being sent, and the second was a right to raise a concern in the BCC when one side believed the other had developed a new kind of SOA. Nevertheless, Siemon agreed to take Smirnov's concern back to the U.S. Treaty Text Working Group (TTWG).

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SECTION-BY-SECTION  
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17. (S) Comments and responses on each section are as follows:

-- Section I: The Russian side proposed new language to paragraph 3 to clarify the date when activities associated with a notification would commence. Smirnov explained it was possible for the date of a notification to indicate either an event that occurred in the past or a date that triggered a particular event, such as the beginning of a conversion or elimination inspection window. Smirnov requested the following text be added to paragraph 3: "The date of provision of the notification shall be the date specified in the notification by the Party providing it, or the date of the event specified in the notification, whichever comes later." Siemon informed Smirnov that the U.S. side would review the Russian-proposed text.

-- Section II: At the end of paragraph 3, the Russian side accepted the U.S.-proposed text "Such changes in data shall include, but shall not be limited to:" in addition to subparagraph (g), which states "A change in status from deployed to non-deployed or from non-deployed to deployed." The Russian side continued, however, to reject subparagraphs (e) and (f) which capture

notifications concerning locations of production facilities and notifications concerning the beginning of construction of a new silo launcher of ICBMs. Siemon replied the U.S. side would review those notifications in the START Treaty and provide a response during the next meeting.

-- Section III: The sides cleared numerous brackets in this section. Remaining brackets included instances where a time period for provision of a notification was specified and those notifications pertaining to heavy bomber visits. Smirnov noted those issues should be discussed once Col Ryzhkov returned the following week.

-- Section IV: No changes were made to the text in this section.

-- Section V: The sides agreed to the following text for paragraph 1:

Begin text:

1. For conversion or elimination of ICBMs or SLBMs, launch canisters for ICBMs and SLBMs, ICBM launchers and SLBM launchers, heavy bombers, and facilities:

End text.

18. (S) Smirnov walked back on previous Russian acceptance of a requirement to deliver an annual conversion or elimination plan. He argued it would be difficult for the RF to provide a schedule or plan and raised concerns about an incurred liability if the schedule dates were not met. He stated if such a plan was to be provided by the RF, it should only contain the estimated number of items to be eliminated during that year. LTC Leyde replied such a decision should be made by COL Ilin and Dr. Warner in the Inspections Protocol Working Group (IPWG). Lastly, the two sides discussed what notification would be sent in the case of batched eliminations of first stages of ICBMs and SLBMs. Smirnov proposed sending notifications for each eliminated item; the inspection window would open when the required completion notification was sent for the final item in each batch. He argued that this action could be captured in a "comments" field of the associated Nuclear Risk Reduction Center notification. Leyde acknowledged Smirnov's issue and clarified that the batching issue would be discussed during the afternoon's IPWG.

-- Section VI: The first nine notifications in this section were discussed. Numerous brackets were removed, and the two sides agreed on the text in the following four paragraphs.

Begin text:

2. Notification concerning flight plan data for an inspection airplane shall be provided no less than six hours in advance of the planned time of departure of such an airplane from the last airfield prior to its entry into the airspace of the inspected Party.

¶3. Notification of the confirmation of a flight plan approval for an inspection airplane shall be provided by the inspected Party no less than three hours in advance of the planned time of departure of such an airplane from the last airfield prior to its entry into the airspace of the inspected Party.

¶5. Notification containing the initial lists of inspectors and aircrew members shall be submitted no later than 25 days after entry into force.

¶6. Notification transmitted no more than once in each 30-day period, of amendments to the lists of inspectors and aircrew members in accordance with Part Five of the Protocol to the Treaty.

End text.

¶9. (S) Additionally, U.S.-proposed paragraph 8(a) was removed, and both sides agreed to the text in paragraph 9 with the exception of time periods and article numbers. The remaining text in that paragraph was moved to the third tier. The updated text in paragraph 9 follows.

Begin text:

¶9. Notification of an intention to conduct an inspection pursuant to paragraphs XX of Article ((XII))1 ((XI))2 of the Treaty shall be provided no less than ((16))1 ((72))2 hours in advance of the estimated time of arrival of the inspection team at the point of entry from outside the territory of the inspected Party.

((1)) = U.S. Text

((2)) = RF Text

End text.

¶10. (S) The remaining notifications in Section VI (paragraphs 10-17), in addition to paragraphs 1-6 of Section VII, would be discussed at the next Notifications WG meeting.

¶11. (U) Documents provided: None.

¶12. (U) Participants:

UNITED STATES

Mr. Siemon

Mr. Dwyer

Dr. Fraley

LTC Leyde

LT Sicks (RO)

Ms. Smith (Int)

RUSSIA

Mr. Smirnov

Mr. Ivanov

Mr. Voloskov

Ms. Komshilova (Int)

[¶](#)13. (U) Gottemoeller sends.  
GRIFFITHS